Office Action Summary	Application No.	Applicant(s)	
	09/498,396	ANOOSHFAR, SAEED	
	Examiner	Art Unit	
	Kristie D. Shingles	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 October 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claim 1 has been amended.

Claims 1-25 are pending.

Response to Arguments

I. Applicant's arguments, see Remarks pages 18-24 filed 10/9/2007, with respect to the rejections of claims 1-25 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of *Janse et al* (US 7,215,434) in view of *Fisher* (US 6,762,852).

Claim Rejections - 35 USC § 112

II. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

III. **Claims 7 and 21** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. **Claim 7** recites the limitation "the individuals" and "the group" in line 11 of the claim language. There is insufficient antecedent basis for this limitation in the claim.

b. **Claim 21** recites the limitation "the group" in line 11 of the claim language. There is insufficient antecedent basis for this limitation in the claim.

CLAIM REJECTIONS - 35 USC § 103

IV. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

V. Claims 1, 2, 4-8 and 10-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Janse et al* (US 7,215,434) in view of *Fisher* (US 6,762,852).

a. **Regarding claim 1,** *Janse et al* teach a computer network scanning system for fulfilling a scan order over a computer network, said system comprising:

- at least one computer terminal adapted to input a scan setting for causing a scanner node to scan an image (*col.2 lines 11-17*), and sending the scan order to an order entry server, the scan order including at least one network address to which the scanned image is to be sent, the address being input by a requestor and the input scan setting (*col.2 lines 21-25 and 42-46*);

- at least one scanner node, each scanner node being coupled to said at least one computer terminal and each order entry server computer through the computer network, each scanner node being configured to select a scan order from a plurality of scan orders received from at least one of the order entry servers through the computer network, and each scanner node being configured to generate a scanned image based on the selected scan order and to send the scanned image to the network address included in the selected scan order, wherein the scan order selected by each scanner node is a scan order designated by a user operation at the scanner node (*col.6 lines 26-34, col.7 line 38-col.8 line 10*).

Yet *Janse et al* fail to explicitly teach causing an order entry server computer to retrieve the scanner node having a suitable scan capability corresponding to the input scan setting from among a plurality of scanner nodes and to receive input for creating the scan order for scanning an image at the retrieved scanner node based on the retrieved result, and at least one order entry server computer configured to retrieve the scanner node having the suitable scan

capability from among the plurality of scanner nodes based on an instruction by the computer terminal and to create and distribute scan orders in accordance with the scan capability of the retrieved scanner node. However, *Fischer* teaches a computer that retrieves a printer from among multiple network printers with the appropriate print features needed to fulfill the user's printer job according to the user's desired printer settings, and subsequently transmits the user's print job to the selected printer, each order entry server computer being coupled to said at least one computer terminal through the computer network (*Abstract, col.4 line 48-col.5 line 33*).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Janse et al's* automatic scan processing with *Fischer's* print feature selection in order to extend the feature-selection capability to scanners as well as printers, since it is well-known in the art that both devices serve as devices peripheral resources in the computing environment, and incorporating the choosing of a desired scanner from among multiple network scanners produces the predictable result of the claimed invention.

b. **Per claim 7,** *Janse et al* teach a computer network scanning system for fulfilling a scan order over a computer network having at least one scanner node, said method comprising:

- creating the scan order at a local computer terminal, wherein the local computer terminal inputs a scan setting for causing a scanner node to scan an image (*col.2 lines 11-17*) and wherein the scan order includes an identification of the input scan setting and an address of at least one of the individuals selected from the group comprising (A) recipients of the scanned document (*col.6 lines 51-61*), and (B) recipients of notification of completion of the scan order, wherein the recipients of notification of completion of the scan order may comprise individuals other than a requestor that initiates the scan order (*col.7 lines 7-21, col.9 lines 56-67*);

- submitting the created scan order to at least one scanner node for processing through the computer network (*col.4 line 1-col.5 line 67*);

- displaying the identification of the input scan setting included in the scan order and processing the scan order at the scanner node (*col.3 line 59-col.4 line 67, col.5 lines 47-67*); and

- updating the scanner node(s) which processes the scan order on the computer network (*col.6 lines 9-15, col.9 lines 40-col.10 line 7*).

Yet *Janse et al* fail to explicitly teach causing a directory service module to retrieve the scanner node having a suitable scan capability corresponding to the input scan setting from among a plurality of scanner nodes based on an instruction by the local computer terminal, and wherein the scan order is created in accordance with the scan capability of the retrieved scanner node. However, *Fischer* teaches a computer that retrieves a printer from among multiple network printers with the appropriate print features needed to fulfill the user's printer job according to the user's desired printer settings, and subsequently transmits the user's print job to the selected printer, each order entry server computer being coupled to said at least one computer terminal through the computer network (*Abstract, col.4 line 48-col.5 line 33*).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Janse et al's* automatic scan processing with *Fischer's* print feature selection in order to extend the feature-selection capability to scanners as well as printers, since it is well-known in the art that both devices serve as devices peripheral resources in the computing environment, and incorporating the choosing of a desired scanner from among multiple network scanners produces the predictable result of the claimed invention.

c. **Per claim 21,** *Janse et al* teach a computer network scanning method for fulfilling a scan order over a computer network having at least one scanner node, said method comprising:

- creating the scan order at a local computer terminal, wherein the local computer terminal inputs a scan setting for causing a scanner node to scan an image (*col.2 lines 11-17*) and wherein the scan order includes an identification of the input

scan setting and an address of at least one of the individuals selected from the group comprising (A) recipients of the scanned document (*col.6 lines 51-61*), and (B) recipients of notification of completion of the scan order, wherein the recipients of notification of completion of the scan order may comprise individuals other than a requestor that initiates the scan order (*col.7 lines 7-21, col.9 lines 56-67*);

- storing the created scan order in a central database (*col.6 lines 7-29,col.7 lines 38-41*);
- retrieving the scan order for a scanner node through the computer network (*col.5 lines 42-67,col.7 line 38-col.8 line 43*);
- displaying the identification of the input scan setting included in the retrieved scan order (*col.3 line 59-col.4 line 67, col.5 lines 47-67*); and
- updating the central database (*col.6 lines 9-15, col.9 lines 40-col.10 line 7*).

Yet *Janse et al* fail to explicitly teach causing a directory service module to retrieve the scanner node having a suitable scan capability corresponding to the input scan setting from among a plurality of scanner nodes based on an instruction by the local computer terminal, and wherein the scan order is created in accordance with the scan capability of the retrieved scanner node and processing the retrieved scan order at the scanner node designated in the input scan setting. However, *Fischer* teaches a computer that retrieves a printer from among multiple network printers with the appropriate print features needed to fulfill the user's printer job according to the user's desired printer settings, and subsequently transmits the user's print job to the selected printer, each order entry server computer being coupled to said at least one computer terminal through the computer network (*Abstract, col.4 line 48-col.5 line 33*).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Janse et al* automatic scan processing with *Fischer's* print feature selection in order to extend the feature-selection capability to scanners as

well as printers, since it is well-known in the art that both devices serve as devices peripheral resources in the computing environment, and incorporating the choosing of a desired scanner from among multiple network scanners produces the predictable result of the claimed invention.

d. **Per claim 23,** *Janse et al* teach a computer network scanning system for fulfilling a scan order over a computer network having at least one scanner node, said method comprising:

- creating a scan order including any address for sending scanned image set by a requestor's input performed through a computer network, wherein a computer terminal inputs a scan setting for causing a scanner node to scan an image (*col.2 lines 11-17*) and wherein the scan order includes an identification of the input scan setting and an address of at least one of the individuals selected from the group comprising (A) recipients of the scanned document (*col.6 lines 51-61*), and (B) recipients of notification of completion of the scan order, wherein the recipients of notification of completion of the scan order may comprise individuals other than a requestor that initiates the scan order (*col.7 lines 7-21, col.9 lines 56-67*);

- submitting the created scan order to at least one scanner node for processing through the computer network (*col.4 line 1-col.5 line 67*);

- displaying the identification of the input scan setting included in the scan order and processing the scan order at the scanner node and sending the scanned image obtained by processing the scan order to the address included in the scan order (*col.3 line 59-col.4 line 67, col.5 lines 47-67, col.6 lines 48-61*); and

- updating the scanner node(s) on the computer network (*col.6 lines 9-15, col.9 lines 40-col.10 line 7*).

Yet *Janse et al* fail to explicitly teach causing a directory service module to retrieve the scanner node having a suitable scan capability corresponding to the input scan setting from among a plurality of scanner nodes based on an instruction by the local computer terminal, and wherein the scan order is created in accordance with the scan capability of the retrieved scanner node. However, *Fischer* teaches a computer that retrieves a printer from among multiple network printers with the appropriate print features needed to fulfill the user's printer job

according to the user's desired printer settings, and subsequently transmits the user's print job to the selected printer, each order entry server computer being coupled to said at least one computer terminal through the computer network (*Abstract, col.4 line 48-col.5 line 33*).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Janse et al* automatic scan processing with *Fischer's* print feature selection in order to extend the feature-selection capability to scanners as well as printers, since it is well-known in the art that both devices serve as devices peripheral resources in the computing environment, and incorporating the choosing of a desired scanner from among multiple network scanners produces the predictable result of the claimed invention.

e. **Claims 24 and 25** contain limitations that are substantially similar to and mirrored in claims 1, 7, 21 and 23 and are therefore rejected under the same basis.

f. **Regarding claim 2,** *Janse et al* with *Fischer* teach the computer network scanning system of claim 1, *Janse et al* further teach the system further comprising a central database coupled via the computer network to each scanner node and to each terminal, the central database adapted to store and retrieve scan orders (*col.6 lines 7-29, col.7 lines 38-41*).

g. **Regarding claim 4,** *Janse et al* with *Fischer* teach the computer network scanning system of claim 1, further teach wherein each order entry server computer comprises: a user interface module coupled to the computer network and adapted to receive scanner settings and parameters for the scan order from the terminal(s) (*Janse et al—col.3 lines 49-67, col.5 lines 35-67 Fischer—col.4 lines 48-56*); a scanner directory service module coupled to the user interface module and configured to provide a capability profile for each scanner node on the computer network (*Fischer— col.3 line 65-col.4 line 37, col.4 lines 57-60*); a scan order

reconciler module coupled to the scanner directory service module and to the user interface module and adapted to receive scanner settings and parameters for the scan order inputted through the user interface module, the scan order reconciler module configured to compare a capability profile for a scanner node with the inputted scanner settings and parameters for consistency and to provide notification through the user interface module of any inconsistencies (*Fischer— col.3 line 65-col.4 line 37, col.4 lines 57-60*); a script writer module coupled to and adapted to receive input from the scan order reconciler module and configured to create the scan order by translating scanner settings and parameters inputted from the terminal through the user interface module into a script that can be parsed by the scanner nodes (*Fischer—col.4 lines 24-33; Janse et al—col.4 lines 45-67*); and an email server module adapted to receive the scan order from the script writer module and configured to send electronic mail messages to any address designated in the scan order and to send the scan order to any scanner node on the computer network (*Fisher—col.6 lines 51-54*).

h. **Claims 18 and 19** are substantially similar to claim 4 and are therefore rejected under the same basis.

i. **Regarding claim 5,** *Janse et al* with *Fischer* the computer network scanning system of claim 4, *Fisher* further teaches wherein the scanner directory service module is a module selected from the group comprising (A) a database containing a capability profile for each scanner node on the computer network, the database populated by entering a capability profile for each scanner node before using the database (*col.3 line 65-col.4 line 37*), and (B) a directory of capability profiles for the scanner nodes on the computer network generated on demand by a lookup/discovery software module (*col.4 lines 20-65*).

j. **Regarding claim 6,** *Janse et al* with *Fischer* teach the computer network scanning system of claim 1, *Janse et al* further teach the system wherein each scanner node comprises: a user interface module (*col.3 lines 49-67, col.5 lines 35-67; Fischer—col.4 lines 48-56*); a script interpreter module for parsing the scan order in order to obtain scanner settings and parameters contained therein, the script interpreter module coupled to the user interface module (*col.4 lines 45-67; Fischer—col.4 lines 24-33*); a scanner queue updater and sorter module coupled to the user interface and to the script interpreter module, the scan order queue updater and sorter module configured to update and sort a queue of a scanner node (*col.9 line 25-col.10 line 3*); scanner driver module adapted to receive an output of the script interpreter module and to set settings and parameters of the scanner node based on the output (*col.6 lines 1-15; Fisher—col.5 lines 28-33*); a scanner module coupled to the scanner driver module and adapted to receive scanner settings and parameters from the scanner driver module and configured to produce a scanned image (*col.6 lines 1-15; Fisher—col.5 lines 28-33*); and an email server module coupled to the computer network, to the script interpreter module, and to the scanner module, the email server module configured to receive the scan order sent over the computer network, to send an electronic mail message containing the scanned image to any recipients indicated in the scan order, and to send an electronic mail message without the scanned image to any parties indicated in the scan order notifying such parties of the completion of the scan order (*col.6 line 51-col.7 line 21*).

k. **Claims 15, 17 and 20** are substantially similar to claim 6 and is therefore rejected under the same basis.

l. **Regarding claim 8,** *Janse et al* with *Fischer* teach the computer network scanning method of claim 7, *Janse et al* further teach wherein the step of creating the scan order comprises the substeps of accessing from an order entry server computer a user interface module which permits input of the scan order from the terminal (*col.3 lines 49-67, col.5 lines 35-67 Fischer—col.4 lines 48-56*); inputting from the terminal a desired set of scanner settings and parameters through the user interface module (*col.4 lines 1-67; Fischer—col.4 lines 48-56*); reconciling the inputted scanner settings and parameters with a capability profile associated with each scanner node designated in the scan order (*Fischer— col.3 line 65-col.4 line 37, col.4 lines 57-60*); and converting the reconciled scanner settings and parameters into the scan order using a script writer module associated with the order entry server computer (*Fischer—col.4 lines 24-33; Janse et al—col.4 lines 45-67*).

m. **Regarding claim 10,** *Janse et al* with *Fischer* teach the method of claim 8, *Fisher* further teaches wherein the step of reconciling comprises the substeps of: (a) retrieving from a scanner directory service module the capability profile for each of the scanner nodes in the designated scan order (*col.4 lines 57-60*); (b) comparing the retrieved capability profiles of the scanner nodes with the scan order (*col.3 line 65-col.4 line 37, col.4 lines 57-60*); and (c) when the scan order is inconsistent with a retrieved capability profile of a scanner node: (I) providing notification of the inconsistency through the user interface (*col.4 line 61-col.5 line 6*); and (II) executing one step selected from the group comprising (A) the selection of an alternative scanner node and repeating steps (a) through (c) above, and (B) the acceptance of the scanner node with the associated capability profile (*col.5 lines 1-23*).

n. **Regarding claim 11,** *Janse et al* with *Fischer* teach the method of claim 7, *Janse et al* further teach wherein the step of submitting uses electronic mail (*col.6 liens 51-54*).

o. **Regarding claim 12,** *Janse et al* with *Fischer* teach the method of claim 7, *Janse et al* further teach wherein the step of processing comprises the substeps of invoking a scanning mode at the scanner node where the scan order is received (*col.4 lines 1-67; Fischer—col.4 lines 48-56);* parsing the scan order using a script interpreter module associated with the scanner node (*col.6 lines 1-15; Fisher—col.5 lines 28-33*); updating a queue of scan orders at the scanner node using a process which eliminates from the queue all scan orders that are time-expired or count-expired (*col.9 lines 61-67*); prioritizing all scan orders in the updated queue according to a predetermined algorithm; and listing the prioritized scan orders (*col.8 lines 41-60, col.9 lines 25-67*).

p. **Regarding claim 13,** *Janse et al* with *Fischer* teach the method of claim 12, *Janse et al* further teach wherein the step of updating a queue of scanner orders at a scanner node (*col.9 lines 61-67*) comprises the substeps of teach (a) determining whether the scan order has time-expired (*col.9 lines 33 and 46-50*); (b) when time-expired, removing the scan order from the queue (*col.9 lines 33 and 46-65*); (c) when not time-expired, determining whether the scan order has count expired (*col.9 lines 39-46*); (d) when count-expired, removing the scan order from the queue (*col.9 lines 25-31*); (e) when not count-expired, determining whether there is a count reduction notification associated with such scan order (*col.9 lines 25-31*); and (f) when there is a count reduction notification, reduce count order associated with the scan order and repeat steps (a) through (f) above (*col.9 line 25-65*).

q. **Regarding claim 14** *Janse et al* with *Fischer* teach the method of claim 12, *Janse et al* further teach wherein the predetermined algorithm is an algorithm selected from the group comprising (A) first-in first-out, (B) alphabetical, and (C) requestor-specified priority level (*col.9 lines 25-65*).

r. **Regarding claim 16,** *Janse et al* with *Fischer* teach the method of claim 15, *Janse et al* further teach the method wherein the step of setting the scanner node comprises the substeps of parsing the scan order using the script interpreter module associated with the scanner node (*col.6 lines 1-15; Fisher—col.5 lines 28-33*); and sending commands to a scanner driver module associated with the scanner node based upon information obtained from the parsed scan order (*col.4 lines 45-67; Fischer—col.4 lines 24-33*).

s. **Regarding claim 22,** *Janse et al* with *Fischer* teach the method of claim 21, *Janse et al* further teach wherein the step of updating the central database comprises deleting the scan order from the central database (*col.9 lines 64-67*).

VI. Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Janse et al* (US 7,215,434) in view of *Fisher* (US 6,762,852) in further view of *Kumpf et al* (US 6,289,371).

t. **Regarding claim 3,** *Janse et al* with *Fisher* teach the computer network scanning system of claim 1, as applied above, yet fail to explicitly teach each terminal has associated therewith browser software for inputting scan orders. However, *Kumpf et al* teach each terminal has associated therewith browser software for inputting scan orders (*col.2 lines 30-32*). Therefore it would have been obvious to one of ordinary skill in the art at the time that the invention was made to further modify the network image scanning system of *Janse et al* and *Fisher* with *Kumpf*

et al by having each terminal has associated therewith browser software for inputting scan orders because the browser software provides an interface means for inputting commands and settings needed to invoke scanning process.

u. **Regarding claim 9,** *Janse et al* with *Fisher* teach the method of claim 8 as applied above, yet fail to explicitly teach accessing comprises using Web browser software to retrieve a Web page, the Web page adapted to receive input concerning scanner settings and parameters. However, *Kumpf et al* teach wherein the step of accessing comprises using Web browser software to retrieve a Web page, the Web page adapted to receive input concerning scanner settings and parameters (*col.2 lines 30-32 and 41*). Therefore it would have been obvious to one of ordinary skill in the art at the time that the invention was made to further modify the network image scanning system *Janse et al* and *Fisher* with *Kumpf et al* wherein accessing comprises using Web browser software to retrieve a Web page, the Web page adapted to receive input concerning scanner settings and parameters because a web page is well-known and common in the art for providing a user-interface means across a network for establishing interactive communication.

Conclusion

VII. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Bakshi et al (6574663), Moeller et al (6694384).

VIII. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie D. Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie D. Shingles
Examiner
Art Unit 2141

kds